

**TOWN OF BENNETT, COLORADO
BOARD OF TRUSTEES
Regular Meeting
October 27, 2020**

1. CALL TO ORDER

The Board of Trustees of the Town of Bennett met in regular session on Tuesday, October 27, 2020 virtually via Zoom Link. Mayor Royce Pindell called the meeting to order at 7:00 p.m. The following persons were present upon the call of the roll:

Mayor: Royce Pindell

Trustees Present: Darvin Harrell
Whitney Oakley
Rich Pulliam
Denice Smith
Donna Sus
Larry Vittum

Staff Present: Trish Stiles, *Town Administrator*
Rachel Summers, *Deputy Town Administrator*
Taeler Houlberg, *Assistant to the Town Administrator*
Alison Belcher, *Public Relations Coordinator*
Sara Aragon, *Community Development Coordinator*
Deb Merkle, *Community Development Manager*
Steve Hebert, *Planning and Economic Development Manager*
Robin Price, *Public Works Director*
Gerilynn Scheidt, *Town Safety Officer*
Melinda Culley, *Kelly P.C., Town Attorney*
Christina Hart, *Town Clerk*

Public Present: Caleb Connor, Scott Field, Kathy Smiley

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Royce Pindell.

3. APPROVAL OF AGENDA

TRUSTEE PULLIAM MOVED, MAYOR PRO TEM HARRELL SECONDED to approve the agenda presented.
The voting was as follows:

YES: Oakley, Pindell, Pulliam, Smith, Sus, Vittum, Harrell

NO: None

Mayor Royce Pindell declared the motion carried by unanimous vote.

4. CONSENT AGENDA

TRUSTEE PULLIAM MOVED, TRUSTEE VITTUM SECONDED to approve the consent agenda as presented.

YES: Pindell, Pulliam, Smith, Sus, Vittum, Harrell, Oakley

NO: None

Mayor Royce Pindell declared the motion carried by unanimous vote.

A. Adams County Multi-Jurisdictional Hazard Mitigation Plan

Action: Approval of Resolution No. 848-20

B. Amending Chapter 8 of the Bennett Municipal Code Regarding Fire Lanes

Action: Approval of Ordinance No. 718-20

C. Approval of Minutes

Action: Approval of October 13, 2020 Regular Meeting Minutes.

Action: Approval of October 20, 2020 Special Meeting Minutes.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

There were no public comments.

5. REGULAR BUSINESS

A. Action/Discussion Items

1. 2018 International Code Council (ICC) Chapter 18 Code Update – First Reading

Deb Merkle, Community Development Manager, reported to the Board of Trustees Staff has been working on updating Chapter 18 of the Bennett Municipal Code to the 2018 International Code Council (ICC) update.

Tom Pitchford, Chief Building Official, reported to the Board of Trustees the following proposed changes to the Code are as follows:

Article 1-Building Code

- Removed Fire Amendment
- Continued addition of the definition of "sleeping room" or bedroom

Article 2-Electrical Code

- Adopting 2020 Electrical Code
- The State of Colorado Electrical Board controls the Adopted Electrical code for the State of Colorado

Article 3-Mechanical Code

- Updating the amount of outside air requirements needed in new construction to keep the building healthy
- Clarifying the combustion air needed in mechanical rooms for the proper operation of heating equipment

Article 4-Plumbing Code

- Sewer depth based on location and local weather
- Updates to types of material allowed to be used for water distribution
- Small changes to reclaimed water systems (non-potable water)

Article 5-Fire Code

- NFPA 13D-permit
- Fire hydrant testing, maintenance & marking
- Fire apparatus roads > 20'
- Stairway access to roofs on structures four floors or higher-located in exit enclosures
- Required key box for the fire department for commercial buildings
- Notification to renters from landlords regarding "no open flames on balconies"

Article 6-Existing Building Code

- Updating version from 2012 to 2018

Article 7-Residential Code

- Foundations designed based on soils reports
- Townhomes, single-family, and duplexes can have sprinkler systems installed out of the Residential Code, Section P2904 if they choose
- Changed window well ladder requirements

Article 8-Fuel Gas Code

- Plastic fuel gas line minimum depth of 18"
- Test pressure changed from 3psig to 10psig
- Better ability to trade-off values in the code using the performance-based compliance method to meet Energy code compliance
- Less restrictive on appliance energy use

Article 10-Building Permits

- Added compliance reference to Chapter 16 of the Municipal Code

Tom Pitchford, Chief Building Official, reported to the Trustees the code update will amend the Town Building Code from the 2012 International Building Code to the 2018 International Building Code. 2018 Editions of the International Building Code include, the International Mechanical Code, the International Plumbing Code, the International Fire Code, the International Existing Building Code, the International Residential Code, the International Fuel Gas Code, and the International Energy Conservation Code, the National Electrical Code that is currently adopted by the State of Colorado of Regulatory Agencies.

Staff recommends Board approval to allow staff to present the 2nd and final reading of the 2018 ICC Code Update Ordinance on November 24, 2020, with anticipated adoption effective January 1, 2021.

TRUSTEE SUS MOVED, TRUSTEE PULLIAM SECONDED, to approve Ordinance No. 717-20 – An Ordinance Adopting by Reference the 2018 Editions of the International Building Code, the International Mechanical Code, the International Plumbing Code, the International Fire Code, the International Existing Building Code, the International Residential Code, the International Fuel Gas Code, and the International Energy Conservation Code, Promulgated by the International Code Council; and by the Edition of the National Electric Code Currently Adopted by the Colorado Department of Regulatory Agencies, Division of Professions and Occupations, as may be Updated from Time to Time; Adopting Amendments to such Codes Adopted by Reference; Establishing Penalties for Violations of such Codes; and Repealing all Ordinances in Conflict Therewith. Voting was as follows:

YES: Pulliam, Smith, Sus, Vittum, Harrell Oakley, Pindell

NO: None

Mayor Royce Pindell declared the motion passed by unanimous vote.

2. State Highway 79 Widening and Trail Project

Robin Price, Public Works Director, reported to the Trustees, on May 12, 2020, the Town Board approved Brightview Landscape Services and Kuhn Construction, Incorporated, for the construction of landscape and drainage improvements for Highway 79 widening and trail project. The original contract is as follows:

1. Brightview Landscape Services - **\$100,696.62 for Landscape Improvements.**
2. Kuhn Construction, Incorporated - **\$113,028.75 for Grading and Drainage Improvements.**

To date, all work has been completed within the original scope of the widening project including demolition, site plan, grading plan, drainage plan, layout plan, site details, landscape plan, landscape details, irrigation demolition, irrigation plan, and irrigation details.

After completing the north side improvements and working on the irrigation on the south side, Town Staff would like to extend improvements to the south entrance of the Civic Center. Additional funding will allow adding improvements to the south side for our Civic Center entrance. Staff requested pricing from BrightView Landscape Services to bid the south side improvements in the fall of 2020, as weather permits. The scope includes adding 90 tons of white cobble to match the south side just past the digital sign, adding 2-4" cobble border on three berms, and 75 tons of 1 ½" Colorado Rose Rock to match the south side. Pricing from the contractors also includes adding perennial/shrubs around the digital sign and 3 maple trees to be planted in one of the berms.

The Town staff recommends approving a change order for **\$29,840.00** for BrightView Landscaping Services to complete the south side of Muegge Way during the fall 2020 season to extend the improvements at the entrance of the Town's Civic Center campus.

TRUSTEE PULLIAM MOVED, MAYOR PRO TEM HARRELL SECONDED, to approve a change order for \$29,840.00 for Brightview Landscaping Services to extend landscaping improvements on the south side of Muegge Way at the entrance of the Civic Center campus. Voting was as follows:

YES: Smith, Sus, Vittum, Harrell, Pindell, Pulliam

NO: Oakley

Mayor Royce Pindell declared the motion passed by a 6 to 1 vote.

6. TOWN STAFF REPORTS

Town Administrator

Trish Stiles, Town Administrator provided the following report;

- A flashing speedometer has been installed on McKinley Avenue to encourage motor vehicles to maintain the 25 mph limit in the Centennial subdivision.
- Trunk or Treat, a drive-thru event, is scheduled for October 29, 2020 from 4:00 p.m. – 6:00 p.m.
- Danette Ruvalcaba, Finance and Technology Director, has resumed her duties after her maternity leave.
- Staff is finalizing job descriptions for assistance in Public Works, assistance in the Building Department and assistance in the Finance Department. The jobs will be posted with the full knowledge that the positions will not start until January 1, 2021. These positions are pending based on adoption of the 2021 budget.
- Staff continues to look at hybrid meeting model options. Ms. Stiles encouraged the Trustees to inform Staff if the Trustees require special Information Technology (I.T.) needs i.e.: larger monitor, docking station, etc. in order to assist in this virtual meeting world.
- COVID-19 updates: beginning on October 28th, 2020, the Adams County dial will be shifted from level 2 to level 3. Arapahoe County dial will shift from level 1 to level 2. The Bennett Recreation District will remain open with restrictions to 25 participants or 25% of the maximum occupancy whichever number is lower. Restaurants will be reduced from 50% to 25% of maximum occupancy. Stronger Together funding is still available for Town business'.

7. TRUSTEE COMMENTS AND COMMITTEE REPORTS

Larry Vittum

Trustee Vittum reported on the following;

- Attended the Adams County Transportation Forum with Ms. Stiles on October 19, 2020.
- Attended the Denver Regional Council of Governments (DRCOG) on October 21, 2020.
- Attended DRCOG Small Communities Conference on September 30, 2020.

Darvin Harrell

Mayor Pro Tem Harrell inquired about the following:

- Are Marketplace Drive citations begin issued?
- Who maintains the streets and sidewalks in Bennett Crossing?

Royce Pindell

Mayor Pindell reported on the following;

- Public Health Order (PHO) indicates the COVID-19 cases continue to rise.

Mayor Pindell requested a recess at 8:33 p.m. The meeting came back into session at 8:42 p.m.

8. EXECUTIVE SESSION

For determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators under C.R.S. Section 24-6-402(4)(e); Bennett School District 29J.

TRUSTEE PULLIAM MOVED, MAYOR PRO TEM HARRELL SECONDED to go into executive session for: For determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators under C.R.S. Section 24-6-402(4)(e); Bennett School District 29J.

YES: Sus, Vittum, Harrell, Oakley, Pindell, Pulliam, Smith

NO: None

The Mayor declared the motion carried by unanimous vote. The Board went into executive session at 8:44 p.m.

The Board came out of executive session at 9:49 p.m. The Mayor announced that the Board had been in executive session and the following persons participated virtually in that session: Mayor Royce Pindell, Trish Stiles, Trustee Oakley, Trustee Pulliam, Steve Hebert, Melinda Culley, Trustee Sus, Trustee Smith, Trustee Vittum, Mayor Pro Tem Harrell, and Christina Hart. The Mayor asked if there were any matters not included in the motion for an executive session or violations of the Open Meetings Law, and if so, that these concerns be stated for the record. No concerns were presented.

The Board of Trustees resumed the open meeting at 9:50 p.m.

9. REPORT FROM EXECUTIVE SESSION

Trish Stiles, Town Administrator, has received direction from the Board of Trustees to table the executive session discussion until November 10th, 2020.

10. ADJOURNMENT

TRUSTEE PULLIAM MOVED, TRUSTEE VITTUM SECONDED to adjourn the meeting. The meeting was adjourned at 9:51 p.m. Voting was as follows:

YES: Vittum, Harrell, Oakley, Pindell, Pulliam, Smith, Sus

NO: None

The Mayor declared the motion carried by unanimous vote.



Royce D. Pindell, Mayor



Christina Hart
Town Clerk